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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuhiro UEKI

Serial No. 10/714,864

Art Unit: 2627

Filed: November 18, 2003

Examiner: Haley, Joseph R.

For: Information-Signal Recording  
And Reproducing Apparatus,  
Related Method, And Related  
Computer Program

Atty Docket: 0124/0019

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated July 19, 2006 in which the examiner rejected pending claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Ueki (US6285632).

The rejection by the examiner is respectfully traversed hereinbelow.

The methods in claims 1-3 of the present application are designed for a recording medium having multiple recording layers accessible from one side. On the other hand, the apparatus in the cited reference Ueki (US 6285632) is designed for a recording medium having only one recording layer.

Each of claims 1-3 has portions reflecting this difference as mentioned below.

Each of claims 1-3 recites the recording medium including at least first and second signal recording layers accessible from one side. The deciding step in each of

claims 1-3 uses (c) a time interval taken by the head to move its focus from the first signal recording layer to the second signal recording layer, and (d) a time interval taken by the head to move its focus from the second signal recording layer to the first signal recording layer.

The above underlined portions of each of claims 1-3 are not disclosed in the cited reference Ueki.

Therefore, it is respectfully submitted that claims 1-3 are not anticipated by the cited reference Ueki.

Respectfully submitted,



Louis Woo, Reg. No. 31,730  
Law Offices of Louis Woo  
717 North Fayette Street  
Alexandria, Virginia 22314  
Phone: (703) 299-4090

Date:

Sept 21, 2006